

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

**WILLIAM STEVE OWENS,)
Plaintiff,)
v.)
C. MARK BOWEN, *et al.*,)
Defendants.)**

Case Number: CV 07-S-2236-S

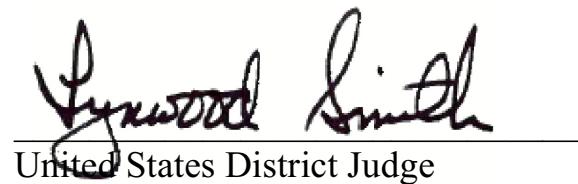
MEMORANDUM OPINION

This case comes before the court on the defendants' motion to dismiss or, alternatively for more definite statement. (Doc. no. 7). On November 5, 2008, the magistrate converted this motion to a motion for summary judgment. On February 2, 2009, the magistrate recommended that the motion to dismiss, now converted to a motion for summary judgment, be granted, and this case be dismissed, with prejudice, costs taxed as paid. Since the date of the recommendation, the *pro se* plaintiff has filed, a document entitled "Motion to Produce documents into evidence". (Doc. no.16) The magistrate treated this motion as an objection to the report and recommendation.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, and the objections thereto, the Court is of the opinion that the magistrate judge's report is due to be, and it hereby is,

ADOPTED, and his recommendation is ACCEPTED. The Court EXPRESSLY FINDS that there are no genuine issues of material fact and that the defendants are entitled to judgment as a matter of law. Accordingly, defendants' motion for summary judgment is due to be GRANTED and this action is due to be DISMISSED WITH PREJUDICE. A Final Judgment will be entered.

DONE this 27th day of February, 2009.



United States District Judge